
HOUSE BILL No. 1378

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-5-37.

Synopsis: Flexible school corporation spending. Allows the board of school trustees in a third class city to levy a tax of up to \$0.05 per \$100 of assessed valuation to pay for certain recreational expenses of the school corporation.

Effective: July 1, 2005.

Klinker, Micon

January 13, 2005, read first time and referred to Committee on Education.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1378

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-5-37-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. Boards of school
3 trustees in second or third class cities, boards of school trustees of any
4 town and/or school trustees of school townships may, on their own
5 initiative, and shall, upon petition as provided for in section 2 of this
6 chapter, establish and maintain for children and adult persons, in the
7 school buildings and on the school grounds under the custody and
8 management of such boards or school trustees of school townships,
9 evening schools, vacation schools, debating clubs, community centers,
10 gymnasiums, public playgrounds, public baths and similar activities
11 and accommodations to be determined by such boards or school
12 trustees of school townships, without charge to the residents of such
13 cities, towns, or townships, **except as provided in section 4 of this**
14 **chapter;** and may cooperate, by agreement, with other commissioners
15 or boards or school trustees of school townships having the custody and
16 management, in such cities or political units, of public parks, libraries,
17 museums and public buildings and grounds of whatever sort; to provide

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the equipment, supervision, instruction and oversight necessary to carry on such public educational and recreational activities in and upon such other buildings and grounds and to pay all such expenses from the general fund.

SECTION 2. IC 20-5-37-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The board of school trustees in a third class city may establish, maintain, and equip public playgrounds to be used by children during the summer vacation period. The board may use the public school buildings and grounds in the cities as is necessary to carry out this section. The board may levy a tax not exceeding ~~sixty-seven hundredths of one cent (\$0.0067)~~ **five cents (\$0.05)** on each one hundred dollars (\$100) of assessed valuation of the property in the city to create a fund to carry out this section **and to pay expenses incurred under section 1 of this chapter.** The board may lease or purchase grounds in addition to the school grounds, either adjacent to the school grounds or elsewhere in the city. The board may also, under eminent domain statutes, condemn ground to be used for these purposes and pay for condemned ground out of the school revenues of the city not otherwise appropriated.

(b) The board has full control of all playgrounds, including the preservation of order on them, and may adopt suitable rules, regulations, and bylaws for the control of them. The board may enforce the rules by suitable penalties.

(c) The board may select and pay for directors and assistants. The directors and assistants, while on duty and for the purpose of preserving order and the observance of the rules, regulations, and bylaws of the board, have all the powers of police officers of the city. The compensation for the directors and assistants shall be fixed by the board and paid for out of the school revenues not otherwise appropriated.

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